

16-08-020 Municipal Ordinances Governing Elderly Residential Facilities.

1. Each county shall adopt ordinances that establish that a residential facility for elderly persons is a permitted use in any area where residential dwellings are allowed, except an area zoned exclusively single- family dwellings.
2. The ordinances shall establish a permit process that may require only that:
 - a. The facility meet all applicable building, safety, zoning, and health ordinances applicable to similar dwellings;
 - b. Adequate off-street parking space be provided;
 - c. The facility be capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character;
 - d. No residential facility for elderly persons be established within three-quarters mile of another residential facility for elderly persons or residential facility for handicapped persons.
 - e. No person being treated for alcoholism or drug abuse be placed in a residential facility for elderly persons; and
 - f. Placement in a residential facility for elderly persons be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.